

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

FRENCHIE BOND

Plaintiff,

v.

UNKNOWN SMITH, et al.,

Defendant.

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No. 4:14CV503 RWS

MEMORANDUM AND ORDER

Before the Court is a complaint filed by plaintiff Frenchie Bond on March 19, 2014. As the complaint was filed without a pending case number on the document, the Clerk of Court opened a new case for plaintiff's action.

Plaintiff, an inmate at Missouri Eastern Correctional Center ("MECC"), brings this action pursuant to 42 U.S.C. § 1983 against defendant correctional officers Unknown Smith, T.Lee, Unknown Sanders and Betty Barns. Plaintiff Bond asserts in his complaint that when he was incarcerated as a pretrial detainee at St. Louis County Justice Center in Clayton, Missouri, he was subjected to excessive force by defendant Smith and that the other named defendants failed to intervene.


In the introductory paragraphs of plaintiff's complaint plaintiff states that he "had" a prior case before this Court, Bond v. St. Louis County Jail, 4:13CV2130 RWS, which was dismissed, without prejudice, pursuant to Fed.R.Civ.P.41(b). However, a review of the Court's docket indicates that this case is still open and has a deadline of March 21, 2014, by which plaintiff must file an amended complaint. In light of the Court's interest in judicial economy, the Court will order the Clerk to copy plaintiff's complaint and file it as an amended complaint in plaintiff's prior case. The Clerk shall then administratively terminate the present action.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall copy plaintiff's complaint and file it as an amended complaint in Bond v. St. Louis County Jail, 4:13CV2130 RWS.

IT IS FURTHER ORDERED that the Clerk of Court shall thereafter administratively close this action.

Dated this 20th day of March, 2014.

A handwritten signature in cursive script, appearing to read "Rodney W. Sippe", written over a horizontal line.

RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE